

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
October 4, 2010

D056203 Barber et al. v. EZGDS, Inc., et al.

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

D057272 In re R.R., a Juvenile

The appeal is dismissed. Huffman, Acting P.J.; We Concur: McDonald, J., Irion, J.

D058150 Scalf v. Superior Court of San Diego County/Barry, M.D. et al.

The petition is denied.

D058145 Griffen v. Walgreen

Because appellant did not timely pay the filing fee, the appeal is dismissed.
(Cal. Rules of Court, rule 8.100(c)(3).)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
October 5, 2010

- D057228 In re J.M. et al., Juveniles**
The judgment is affirmed. Aaron, J.; We Concur: McDonald, Acting P.J., Irion, J.
- D056972 Center for Biological Diversity et al. v. County of San Bernardino/Hawarden
Development Company**
The petition for rehearing is denied.
- D058215 People v. Kim**
The petition is denied.
- D057210 People v. Green**
The judgment is affirmed. O'Rourke, J.; We Concur: Nares, Acting P.J., Haller, J.
- D057981 ISTA North America et al. v. The Superior Court of San Diego County/Mann
et al.**
The petition is denied.
- D054493 People v. Henderson et al.**
Henderson's judgment is affirmed. Montgomery's convictions on counts three and four are reversed, and his sentence on those counts is stricken. In all other respects Montgomery's judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections and Rehabilitation.
McIntyre, Acting P.J.; We Concur: Aaron, J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
October 6, 2010

- D057414 In re J.W. IV., a Juvenile**
The appeal is dismissed. Nares, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.
- D054774 People v. Whitlock**
The petition for rehearing is denied.
- D056398 In re C.M., a Juvenile**
The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Aaron, J.
- D058182 Croteau v. Croteau**
Request for Permission to Appeal received by this court on October 4, 2010, is denied. (Code of Civ. Proc. sec. 391.7, subd. (b).) The appeal filed with the Superior Court on September 08, 2010, is dismissed.
- D057071 In re Chris T., a Juvenile**
The judgment is affirmed.
McDonald, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.
- D055701 People v. Aranda**
The judgment is reversed as to count 3. In all other respects the judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., Aaron, J.
- D056451 People v. Cortez**
The judgment is affirmed. Irion, J.; We Concur: Huffman, Acting P.J., Nares, J.
- D057486 In re Jeremiah E., a Juvenile**
The findings and orders are affirmed.
Aaron, J.; We Concur: Haller, Acting P.J., McDonald, J.
- D058156 In re Simmons on Habeas Corpus**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
October 7, 2010

- D055917 In re the Marriage of Mells**
The petition for rehearing is denied.
- D057964 Danielle L. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**
The petition is denied. The request for stay is denied.
Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.
- D055765 People v. Jason K.**
The order is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., Irion, J.
- D058157 In re Nava on Habeas Corpus**
The petition is denied.
- D057978 In re Camacho on Habeas Corpus**
The petition is denied.
- D058293 The Yavapai-Apache Nation v. Superior Court of San Diego County/iiPay
Nation of Santa Ysabel**
The petition for writ of mandate has been read and considered by
Presiding Justice McConnell and Associate Justices Aaron and Irion.
The petition is denied.
- D058026 The Walters Group v. Superior Court of San Diego County/Taylor Woodrow
Homes, Inc., et al.**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
October 8, 2010

- D058127 Vanessa H. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Vanessa H. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.
- D058141 P.G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner P.G. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.
- D057656 In re Marriage of Newsome and Ansley**
The appeal filed June 28, 2010, is dismissed because appellant did not timely deposit costs for preparing the record on appeal (Cal. Rules of Court, rules 8.122(c), 8.130(b), 8.140).
- D056796 Anderson v. Staples et al.**
Affirmed. Anderson to bear respondents' costs on appeal.
Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

Court convened at 9:00 a.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Joan Irion
Clerk: D. Moore

- D056299 In re S.R., a juvenile**
Cause called on merits. Patrick Morgan Ford, Esq. argued for appellant.
Gerhart Wilhelm Brozio, Deputy Attorney General, argued for respondent.
Mr. Ford replied. Cause submitted.

Court recessed at 9:20 a.m. to change panel members.

New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Joan Irion

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 8, 2010 (Continued)

D055029 Ghiotto et al. v. City of San Diego et al.

Cause called on merits. Charles Salvatore LiMandri, Esq. argued for appellant. George F. Schaefer, Deputy City Attorney, argued for respondent. Mr. LiMandri replied. Mr. Schaefer replied. Cause submitted.

Court recessed at 10:29 a.m. until 1:30 p.m.

D057087 In re N.V. et al., Juveniles

The opinion filed September 8, 2010, is ordered certified for publication.

D056029 People v. Rambo

The appeal is dismissed. Huffman, J.; We Concur: McConnell, P.J., McIntyre, J.

Court reconvened at 1:30 p.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Joan Irion

Clerk: D. Moore

D054976 People v. Miramantes

Cause called on merits. Daniel Koryn, Esq. argued for appellant. Sabrina Yasmin Lane-Erwin, Deputy Attorney General, argued for respondent. Mr. Koryn replied. Cause submitted.

D055444 Renda v. Nevarez

Cause called on merits. Jonathan B. Jordan, Esq. argued for appellant. John F. Freni, Esq. argued for respondent. Mr. Jordan replied. Cause submitted.

D055245 Pointe San Diego Residential Community, LP et al. v. Glaser, Weil, Fink, Jacobs & Shapiro, LLP et al.

Cause called on merits. Michael Warren Vivoli, Esq. argued for appellant. Jonathan Berres Cole, Esq. argued for respondent, Glaser, Weil, Fink, Jacobs & Shapiro, LLP. Bruce Alan Friedman, Esq. argued for respondent, Spolin and etc. Joel Michael Tantalo, Esq. argued for respondent, Landau. Jimmy Tabb, Esq. argued for respondent, Weingarten. Mr. Vivoli replied. Cause submitted.

Court recessed at 2:38 p.m. until Tuesday, October 12, 2010 at 9:00 a.m.